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10 **UNITED STATES DISTRICT COURT**  
11 **DISTRICT OF NEVADA, SOUTHERN DIVISION**

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13 CLARK SEEGMILLER,  
14 Plaintiff,

15 vs.

16 STATE FARM MUTAL AUTOMOBILE  
17 INSURANCE COMPANY; DOES I through  
18 through X, inclusive, and ROE CORPORATIONS I  
19 Defendants.

CASE NO. 2:19-cv-1341-KJD-NJK

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES**

**[FIRST REQUEST]**

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21 Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective counsel of  
22 record, hereby stipulate and request that this Court extend discovery in the above-captioned case  
23 sixty (60) days, up to and including Monday, April 6, 2020. In addition, the parties request that  
24 the all other future deadlines contemplated by the Discovery Plan and Scheduling Order be  
25 extended pursuant to Local Rule. In support of this Stipulation and Request, the parties state as  
26 follows:

- 27 1. On June 27, 2019, Plaintiff filed her Complaint in the Eight Judicial District Court.  
28 2. On July 11, 2019, Plaintiff served the Complaint on the Nevada Department of

Business and Industry, Division of Insurance.

3. On August 2, 2019, Defendant filed its Petition for Removal.

4. On August 9, 2019, Defendant filed its Answer to Complaint.

5. On September 18, 2019, the parties conducted an initial FRCP 26(f) conference

6. On September 24, 2019, the Court entered the Stipulated Discovery Order.

7. On September 30, 2019, Plaintiff served his FRCP 26 Initial Disclosures on Defendant.

8. On October 4, 2019, Defendant served its FRCP 26 Initial Disclosures on Defendant.

9. On November 6, 2019, Defendant served written discovery on Plaintiff. Plaintiff's Responses are due on December 11, 2019.

#### **DISCOVERY REMAINING**

1. The parties will continue participating in written discovery.

2. Defendant will take the deposition of Plaintiff.

3. Defendant will gather Plaintiff's medical records once they have received Plaintiff's signed authorizations.

4. The parties may take the depositions of any and all other witnesses garnered through discovery.

#### **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

The parties aver, pursuant to Local Rule 26-4, that good cause exists for the following requested extension. This Request for an extension of time is not sought for any improper purpose or other purpose of delay. Rather, it is sought by the parties solely for the purpose of allowing sufficient time to conduct discovery.

Plaintiff's lawsuit alleges he sustained significant injuries as a result of the subject accident. The nature of any future damages claim by Plaintiff is currently unknown, but the parties await Plaintiff's upcoming medical evaluation which may shed light on Plaintiff's medical status, which in turn may impact his claimed damages. Plaintiff's responses to Defendant's written discovery should also provide important information which impacts the scope of discovery

1 for this case. Accordingly, the parties request an extension of the current discovery deadlines,  
2 including the expert deadlines, to allow the parties an opportunity to better understand the nature  
3 of Plaintiff's claims prior to the deadline to disclose experts.

4 Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-4 governs  
5 modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or  
6 motion to extend or modify that Discovery Plan and Scheduling Order must be made no later than  
7 twenty-one (21) days before the expiration of the subject deadline and must comply fully with LR  
8 26-4.

9 This is the first request for extension of time in this matter. The parties respectfully submit  
10 that the reasons set forth above constitute compelling reasons for the short extension.

11 The following is a list of the current discovery deadlines and the parties' proposed  
12 extended deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	<i>Wednesday, February 5, 2020</i>	<i>Monday, April 6, 2020</i>
Deadline to Amend Pleadings or Add Parties	<i>Closed</i>	<i>Closed</i>
Interim Status Report	<i>Friday, December 6, 2019</i>	<i>Tuesday, February 4, 2020</i>
Expert Disclosure pursuant to FRCP26 (a)(2)	<i>Friday, December 6, 2019</i>	<i>Tuesday, February 4, 2020</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	<i>Monday, January 6, 2020</i>	<i>Thursday, March 5, 2020</i>
Dispositive Motions	<i>Friday, March 6, 2020</i>	<i>Wednesday, May 6, 2020</i>
Joint Pretrial Order	<i>Monday, April 6, 2020</i>	<i>Friday, June 5, 2020</i>

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1 WHEREFORE, the parties respectfully request that this Court extend the discovery period  
2 by sixty (60) days from the current deadline of February 5, 2020, up to and including April 6,  
3 2020, and the other dates as outlined in accordance with the table above.

4 DATED this 15th day of November, 2019. 5 6 TITOLO LAW OFFICE 7 /s/ <i>Timothy R. Titolo</i> 8 9 TIMOTHY R. TITOLO, Esq. 10 Nevada Bar No. 3617 11 9950 W. Cheyenne Avenue 12 Las Vegas, Nevada 89129 <i>Attorneys for Plaintiff</i>	DATED this 15 <sup>th</sup> day of November, 2019.  LEWIS BRISBOIS BISGAARD SMITH LLP  <i>/s/ Pamela L. McGaha</i>  ROBERT W. FREEMAN, ESQ. Nevada Bar No. 03062 PAMELA L. MCGAHA, ESQ. Nevada Bar No. 8181 MAYRA SALINAS-MENJIVAR Nevada Bar No. 14607 6385 S. Rainbow Boulevard, Suite 600 Las Vegas, Nevada 89118 <i>Attorneys for Defendants</i>
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13 **ORDER**

14 **IT IS SO ORDERED:**

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16 Dated: November 18, 2019

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28 **UNITED STATES MAGISTRATE JUDGE**